

Atty Oehler, Nancy L. (of Bakersfield for Petitioner/Executor Janet Picard)

(1) First and Final Report of Executor on Waiver of Account and (2) Petition for Allowance of Statutory Attorneys' Fees and Executor's Commission, (3) for Withholding of Closing Cost Reserve, and (4) for Final Distribution [Prob. C. 1060 et seq., 10800, 10810, 10811, 10951, 10954, 12200]

DOD: 2/28/2007		JANET PICARD , Executor, is petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		Accounting is waived.		1. Petitioner was originally represented by Randolph Krbechek. It appears that Randolph Krbechek may be entitled to a portion of the statutory attorney fees pursuant to Probate Code §10814.	
		I & A - \$792,078.80			
		POH - \$792,078.80			
Cont. from 092012					
	Aff.Sub.Wit.				
✓	Verified		Executor (statutory) - \$18,841.58		
✓	Inventory				
✓	PTC		Attorney (statutory) - \$18,841.58		
✓	Not.Cred.				
✓	Notice of Hrg		Closing reserve - \$25,000.00		
✓	Aff.Mail	W/	Distribution, pursuant to Decedent's Will and Disclaimer of Interest, is to:		
	Aff.Pub.		The Estate of William Yvon Picard - Investments, bonds and \$1,565.54		
	Sp.Ntc.		Janet Picard - ½ interest in real property located on Wailea Ct in Sacramento, ¼ interest in real property located on Holmby Ct in Sacramento, investments and \$75,759.33;		
	Pers.Serv.		Sandra Cano - ½ interest in real property located in San Luis Obispo, ¼ interest in real property located on Holmby Ct in Sacramento, investments and \$25,759.34.		
	Conf. Screen				
✓	Letters	2/21/08			
	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
✓	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
✓	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 10/5/12	
				Updates:	
				Recommendation:	
				File 1 - Picard	

(1) Final Report and (2) Petition for Settlement Thereof, (3) for Allowance of Attorneys' Compensation, for Allowance of Costs Advanced, and (4) Petition for Final Distribution (Prob. C. 1060 et seq, 10800, 10810, 10811, 1201)

DOD: 9-21-06		STANLEY KATAOKA , Executor with Full IAEA without bond, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		Accounting is waived		<u>Continued from 9-6-12. As of 10-9-12, nothing further has been filed.</u>	
Cont. from 090612		I&A: \$643,321.00		1. Attorney G. Dana French of Wild, Carter & Tipton has agreed to \$11,000.00, which is less than the statutory amount (\$15,866.42).	
	Aff.Sub.Wit.	POH: \$643,321.00 (no cash, various real property interests)			
✓	Verified	Executor (Statutory): Waived		However, Examiner notes that the former Executor (who passed away in December 2011) was previously represented in this estate by Attorney James M. Kaprielian.	
✓	Inventory	Attorney (Statutory): \$11,000.00 (Less than statutory, to be paid outside of probate)		Probate Code §10814 states if there are two or more attorneys, compensation shall be apportioned among the attorneys by the court according to the services actually rendered by each attorney or as agreed to by the attorneys.	
✓	PTC			The Court may require clarification regarding the attorney's fees requested with reference to Attorney Kaprielian and Probate Code §10814.	
✓	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	W	Costs: \$2,332.84 (Probate Referee, certified Letters, filing, publication)		
	Aff.Pub.		Decedent's will devises the estate to a testamentary trust for the benefit of his wife, which is distributable to their four children upon her death. Because Decedent's wife has now passed away (post-deceased) Petitioner requests distribution to the four children outright and free of trust.		
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
✓	Letters	4-4-12			
	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
✓	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
✓	FTB Notice				
				Reviewed by: skc	
				Reviewed on: 10-9-12	
				Updates:	
				Recommendation:	
				File 2 - Kataoka	

(1) First Amended Waiver of First and Final Account and Report of Executor and Petition for Settlement thereof; (2) for Allowance of Executor's Compensation for Ordinary Services; (3) for Allowance of Reimbursement of Out-of-Pocket Costs Advanced by Petitioner; (3) for Allowance of Attorneys Fees and Ordinary and Extraordinary and Costs; and (4) for Final Distribution

DOD: 08/01/08		CRAIG ELIOT SHAMPHAN , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	12/17/08	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	n/a	
		Accounting is waived.	
		I & A - \$140,000.00	
		POH - \$91,227.38	
		Executor - \$4,038.78 (statutory)	
		Executor costs - \$821.00 (for probate referee, filing fees, publication, certified copies)	
		Attorney - \$4,038.78 (statutory)	
		Attorney x/o - \$13,826.50 (per itemization for work related to the sale of real property, preparation of 9 declarations and/or status reports, attendance at 12 status hearings due to delay in closing the estate)	
		Attorney costs - \$824.00 (for recording fees, filing fees, certified copies)	
		Reserve - \$500.00	
		Distribution, pursuant to Decedent's Will, is to:	
		Craig Eliot Shamphan- \$33,589.16	
		Debby Kay Doyle - \$33,589.16	
			Reviewed by: JF
			Reviewed on: 10/08/12
			Updates:
			Recommendation:
			File 3 - Shamphan

Atty Iversen, Judy K
 Atty PEDERSEN, KRIS B
 Atty G., Thomas Fleming III
 Atty Marderosian, Michael G.

Motion for Determination of Good Faith Settlement

Age:		NEEDS/PROBLEMS/COMMENTS: Examiner Notes will not be prepared for this matter.
DOD:		
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		Reviewed by:
		Reviewed on:
		Updates:
		Recommendation:
		File 4 - Iversen

(1) First and Final Report of Executor on Waiver of Account and (2) Petition for Allowance of Statutory Attorneys' Fees and Executor's Commission, (3) for Withholding of Closing Cost Reserve, and (4) for Final Distribution [Prob. C. 1060 et seq., 10800, 10810, 10811, 10951, 10954, 12200]

DOD: 5/25/2010		JANET PICARD , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from 092012			
	Aff.Sub.Wit.		
✓	Verified	I & A - \$1,198,180.50 POH - \$1,198,180.50	
✓	Inventory	Executor (statutory) - \$24,981.80	
✓	PTC	Attorney (statutory) - \$24,981.80	
✓	Not.Cred.		
✓	Notice of Hrg	Closing reserve - \$25,000.00	
✓	Aff.Mail	W/ Distribution, pursuant to Decedent's Will, is to:	
	Aff.Pub.		
	Sp.Ntc.	Janet Picard - ½ interest in real property located on Wailea Place in Sacramento, ¼ interest in real property located on Holmby Ct in Sacramento, investments, bonds, furniture, furnishings and personal effects and \$154,820.71;	
	Pers.Serv.		
	Conf. Screen		
✓	Letters	2/16/11	
	Duties/Supp		
	Objections		
	Video Receipt	Sandra Cano - ½ interest in real property located in San Luis Obispo, ¼ interest in real property located on Holmby Ct in Sacramento, investments, bonds, furniture, furnishings and personal effects and \$154,761.35.	
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed by: KT
			Reviewed on: 10/5/12
			Updates:
			Recommendation: SUBMITTED
			File 5 - Picard

Atty Triff, Deloise E. (for Kristi Ergo and Kim Rhine, Co-Guardians
 Atty Hicks, Julie A. (for Will, Lisa Marie, mother)

Status Conference

Natalie Age: 5 yrs	<p>KIM RHINE, paternal grandmother, and KRISTI ERGO, great-aunt, were appointed guardians on 8/25/2011.</p> <p>Mother: LISA WILL Father: DEVIN LA FRANCE</p> <p>Paternal grandfather: Joe La France Maternal grandfather: Perry Will Maternal grandmother: Margaret Blowers</p> <p>Petition for Visitation filed 1/18/2012 by Lisa Will, mother, was heard on 4/3/2012, resulting in the following Court orders per <i>Minute Order</i> of 4/3/2012:</p> <ul style="list-style-type: none"> • Lisa Will is ordered to take hair follicle test today at Global Drug testing at Guardian's expense; a copy of test needs to be provided to counsel and Court; • Supervised visitation with the mother 1 hour a week with one or both Guardians as supervisor on Wednesday at 6:00 pm starting 4/11/2012; • Visits may be at maternal grandmother Margaret's home or Kim Rhine's home; Ms. Hicks is ordered to get written declaration by Margaret in favor of visits at her home; • Ms. Triff to prepare order; Status conference set for 10/11/2012. <p>Amended Order After Hearing signed 5/29/2012 reiterates the orders above, with the following specifications:</p> <ul style="list-style-type: none"> • The Guardians are to adhere to the Family Court Services 3rd party supervision guidelines while supervising visits between the minors and Ms. Wills; • Lisa Wills' drug test is to be completed no later than the close of business on 4/3/2012; a failure to test shall be deemed a positive (or dirty) drug test; the Guardians shall pay for the drug test so that the test may be completed on 4/3/2012 prior to the close of business. 	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Hailey Age: 3 yrs		
Brendan Age: 2 yrs		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
<p>Reviewed by: LEG</p> <p>Reviewed on: 10/5/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 – La France</p>		

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob.
C. 8002, 10450)

DOD: 07/03/2011	BARBARA R. MORGAN , mother is petitioner and requests appointment as Administrator without bond.		NEEDS/PROBLEMS/COMMENTS:
	Petitioner is sole heir & waives bond.		
	Full IAEA –o.k.		<p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> ● Friday, 3/15/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> ● Friday, 12/13/2013 at 9:00a.m. in Dept. 303 for the filing of the first account or final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from 090612			
<input type="checkbox"/> Aff.Sub.Wit.			<p>Reviewed by: KT</p> <p>Reviewed on: 10/4/12</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 7 - Shaver</p>
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory	Decedent died intestate		
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg	Residence: Clovis Publication: The Fresno Bee		
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input checked="" type="checkbox"/> Aff.Pub.	Estimated value of the estate: Personal property - \$225,000.00		
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp	Probate Referee: Steven Diebert		
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

Atty Callister, Jared, of Fishman Larsen Goldring & Zeidler (for Petitioner Paul E. Quinn)

**Petition for Settlement of Account and Report and for Approval of
Distribution of Trust Assets and for Approval of Trustee and Attorney Fees [Prob. C.
17200(b)(5), (b)(9)]**

DOD: 1/13/2010	PAUL E. QUINN, C.P.A. , Trustee of the EVELYN M. REED REVOCABLE LIVING TRUST dated 3/31/2005 , is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: <i>Proof of Service by Mail</i> filed 8/29/2012 indicates notice was sent to interested parties without including a copy of the <i>Petition for Settlement of Account</i> , which is not required unless a trustee or beneficiary has served and filed either a notice of appearance or a written request for a copy of the petition pursuant to Probate Code § 17205. ~Please see additional page~
Cont. from	Petitioner states the instant petition is reasonably necessary for the protection of the interests of both the Trustee and the beneficiaries because of the following: (a) the size of the Trust estate during the accounting period; (b) the number and complexity of Trust transactions; and (c) the duration of the accounting.	
<input type="checkbox"/> Aff.Sub.Wit.		
✓ Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail	W/ O	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
✓ Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	Petitioner seeks via this petition timely determination of all matters presented in this account so that the Trust beneficiaries may receive final distribution of Trust assets without lengthy delay, and so that Petitioner may be released from his duties as Trustee of the Trust; without approval of the Court as to the account, the Trustee would be required to hold back substantial funds from distribution in order to cover potential costs of litigating any claims made during the ~3 years until the statute of limitations has expired. Account period: 8/30/2006 – 8/22/2012 Accounting - \$1,811,519.77 Beginning POH - \$1,281,178.85 Ending POH - \$ 130,387.72 (all cash) Trustee - \$143,610.00 (PAID) Attorney - \$6,232.50 (PAID) Attorney Costs - \$232.00 (PAID) Closing Reserve - \$50,000.00 <i>(to cover any contingencies and expenses, including Trustee and Attorney fees, that may arise during distribution and final aspects of Trust administration;)</i> ~Please see additional page~	
		Reviewed by: LEG Reviewed on: 10/8/12 Updates: Recommendation: File 8 - Reed

Petitioner states:

- **Caregivers:** Petitioner hired at-home 24-hour caregivers for Evelyn (Trustor) based on her physician's recommendation and with Evelyn's consent; *(please see Schedule D for payments.)*
- **Townhome:** After Evelyn's death, Petitioner prepared Evelyn's home for sale and discovered through a termite inspection that the home had an extensive termite infestation, that a neighbor's townhome connected to Evelyn's townhome was also infested, and that the source of the infestation was Evelyn's townhome; Petitioner ensured the infestation was remedied and sold the home for **\$187,000.00** on 7/1/2012.
- **Secured Notes:** Evelyn held two secured promissory notes in the amounts of **\$200,000.00** and **\$160,000.00 @ 8%** annual interest, with the collateral on the notes being a ~10-acre parcel in Clovis; Petitioner renegotiated the terms of the two notes in 9/2010 in an effort to accelerate payment, and under the new terms the two notes were consolidated into a single note with the combined sum of **\$435,151.78** subject to **8%** annual interest; the new terms required monthly interest-only payments of **\$2,901.01** with a payment in full due 3/31/2011; the maker requested in 3/2011 to renegotiate the note to extend the term to 12/31/2011, allowing for continued interest-only payments of **\$2,901.01 @ 8%**; the Note and unpaid interest would be paid off in full on 1/27/2012; by taking these steps Petitioner was able to increase the accrued interest amount, ensure the Trust had a flow of income at a desirable rate of return, and ensure that the Note was paid off in full.
- **Compensation of Trustee:** Trust terms provide that the Trustee shall be paid reasonable compensation for Trustee's services; the Trustee's fees associated with his services were billed through the accounting firm of **RYAN, CHRISTIE, QUINN & HORN (RCQ&H)**, of which Petitioner is a partner, and included the services of other RCQ&H employees; throughout the account period, Petitioner performed all required duties, including *[in brief sum]* hiring and payment of caregivers, transfer of assets to Trust, tax returns, collection and disbursement of income, investments, repair and sale of townhome, renegotiation of Notes, preparation of this accounting; *(please refer to Declaration of Paul E. Quinn in Support of Approval of Trustee Fees attached as Exhibit D)*; RCQ&H employees have devoted **~988 hours** to these responsibilities at various rates from @ **\$250/hr** and **\$150/hr** for CPAs and **\$60/hr** to **\$50/hr** for bookkeepers and administrative staff, resulting in a total of **\$143,610.00** in Trustee fees.
- **Compensation of Trustee's Attorneys:** Petitioners attorneys, the law firm of **FISHMAN, LARSEN, GOLDRING & ZEITLER (FLGZ)** are entitled to reasonable compensation from the Trust from their services rendered, which included *inter alia* reviewed and analyzed Trust documents, prepared, filed and reviewed this Petition and reviewed the accounting, met with and counseled Petitioner concerning administration of the Trust *(please refer to Declaration of Jared R. Callister in Support of Approval of Attorney Fees attached as Exhibit E)*; the attorneys have devoted **~29 hours @ \$225/hr** attorney rate, resulting in Attorney fees of **\$6,232.50**; attorneys were reimbursed costs of **\$232.00**.
- **Proposed Distribution of Trust Assets:** The terms of the Trust provide that the Trust assets are to be distributed as follows, with the following amounts to each Beneficiary based upon the **\$80,387.72** cash assets available for distribution:
 - **MARY LEE SCOTT**, sister (entitled to 40%) – **\$40,555.09**
 - **LYNNE REED**, brother-in-law (entitled to 30%) – **\$19,916.32**
 - **ISABEL ADAMS**, sister-in-law (entitled to 30%) – **\$19,916.32**

~Please see additional page~

Petitioner requests the Court:

1. Find that all acts in the Petition are true and that all notices required by law have been given;
2. Settle, allow and approve the Account and Report of Trustee, and ratify, confirm and approve all acts and transactions of Petitioner as set forth in the *Petition*;
3. Allow Petitioner to receive the compensation for his services;
4. Allow the Attorneys for Petitioner the requested compensation for their services;
5. Allow Petitioner to distribute the assets of the Trust *[as stated in the Petition]* (less a reserve of **\$50,000.00**); and
6. Release and discharge Petitioner from his position as Trustee of the Trust as of the date final distributions from the Trust are made.

NEEDS/PROBLEMS/COMMENTS, continued:

Note: *Schedule F, Beneficiary Distributions*, indicates the Trustee distributed to the Trust Beneficiaries during the period of 1/26/2010 through 2/1/2012 the following total amounts from the Trust:

- **MARY LEE SCOTT – \$264,000.00;**
- **LYNNE REED – \$208,500.00;**
- **ISABEL ADAMS – \$208,500.00.**

Note: Copy of *Revocable Living Trust Agreement* attached as *Exhibit A* provides that upon the death of the Trustor, specific distributions listed in Article III paragraph C shall be made. Subdivision(C)(3) provides for distribution of **\$50,000.00** to **ST. LUKES COMMUNITY CHURCH**, which is not reflected on *Schedule D, Cash Disbursements*, though said schedule does include an entry dated 1/29/2010 for donation of **\$50,000.00** to **PALM AVENUE COMMUNITY CHURCH**. Paragraph 8 of *Declaration of Paul E. Quinn in Support of Approval of Trustee Fees* filed 8/27/2012 states the Trustee coordinated with and contacted six charitable entities who ultimately were distributed a total of **\$287,000.00**, but does not indicate an explanation for this difference in the name of the church that received the donation. While the discrepancy in the recipient of this specific donative distribution is not explained in the *Petition*, it appears an alternative selection of charitable organization may have been made by the Trustee. The Court may require further information regarding the donation to a church other than the church specifically named in the terms of the Trust.

**Petition for Probate of Will and for Letters Testamentary; Authorization to
Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 3/29/12			JOHN A. SHAPAZIAN, III , son/named executor without bond, is petitioner. Full IAEA – o.k. Holographic Will dated: 12/7/1986 Residence: Selma Publication: Selma Enterprise Estimated value of the estate: Personal property - \$345,000.00 Real property - \$325,000.00 Total - \$670,000.00 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: 1. #5a(3) or 5a(4) of the petition was not answered re: registered domestic partner. Note: If the petition is granted, status hearings will be set for the filing as follows: <ul style="list-style-type: none"> Friday, March 8, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, December 6, 2013 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
Cont. from				
✓	Proof of Holographic Instrument			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
✓	Aff.Mail	W/		
✓	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 6/6/12		JEFFREY DAVID HALL and STEPHEN GREGORY HALL , sons, are petitioners and request appointment as Administrators without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Petitioners are the sole heirs and waive bond.	<p>Note: If the petition is granted, status hearings will be set for the filing as follows:</p> <ul style="list-style-type: none"> Friday, March 8, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal, and; Friday, December 6, 2013 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	Full IAEA – o.k.	
<input checked="" type="checkbox"/>	Verified	Decedent died intestate	
<input type="checkbox"/>	Inventory	Residence: Fresno	
<input type="checkbox"/>	PTC	Publication: Fresno Business Journal	
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Probate Referee: Steven Diebert

Estimated value of the estate:
 Personal property - \$ 500,000.00
 Real property - \$ 500,000.00
Total - \$1,000,000.00

Reviewed by: KT

Reviewed on: 10/11/12

Updates:

Recommendation: SUBMITTED

File 10 - Hall

Attys **Magness, Marcus D. (for Anna Foster, Administrator, daughter)**
Foster, Kenneth R. (pro per, Guardian of Estate of Bruce K. Foster, Jr., adoptive son)

**Probate Status Hearing Re: Status of Administration and Retaining Home as Part of
 Probate Estate for Benefit of Minor (Bruce Foster, Jr.)**

DOD: 2/26/2001	<p>ANNA N. FOSTER, daughter/Administrator with limited IAEA with bond of \$100,000, is petitioner. Letters issued 5/11/2007.</p> <p>Background:</p> <ul style="list-style-type: none"> Sole asset of estate is real property located in Fresno. The value of the real property at the date of death was \$65,000.00. Decedent died intestate, survived by five children who are now living, and the living issue of two children who are now deceased. Since decedent's death, Petitioner has advanced funds for property taxes and homeowner's insurance. Department of Health Services filed a creditor's claim for \$17,181.64, which was allowed by Petitioner on 10/30/07. <p>There is no cash in estate to pay creditor's claim or to reimburse Petitioner for advanced funds.</p> <p>Status Conference Statement filed on 6/24/11 states during the pendency of this Probate, Kenneth R. Foster was appointed as the Guardian of the Person and Estate of Bruce K. Foster. Bruce lived in the home the majority of his life. Kenneth filed a Petition for Order Setting Aside Probate Homestead in this action to allow Bruce to continue to reside in the home until he turns 18. Also during the pendency of this action Petitioner sought instructions from this Court to approve the sale of the real property to petitioner. On 5/15/08, these petitions came before this court for hearing. At the hearing, the Court granted Petitioner's Petition for Instructions and denied the Petition for Order Setting Aside Probate Homestead because the terms of the instructions effectively granted the relief sought by Bruce Foster.</p> <p align="center"><i>Please see additional page</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need current status report.</p>
Cont. from 031110, 063011, 071212		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: KT</p> <p>Reviewed on: 10/4/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Foster</p>	

Unfortunately, Petitioner was unable to obtain financing to purchase the Home. Petitioner reported this event to the Court, and on March 26, 2009, this Court entered its Order vacating Prior Instructions; Denying Probate Homestead and Further Instructing Administrator. In this order, the Court denied the probate homestead and further instructed the petitioner to retain the Home as part of the probate estate pending further orders of the Court. Petitioner was further ordered to continue paying any mortgage and maintenance costs and the Court reserved jurisdiction over whether any of these costs would be reimbursed upon the close of the probate. The Order allowed the minor, Bruce to continue to reside in the Home.

Petitioner does not reside in the Home. Following the decedent's death, Petitioner's daughter (and her family) moved into the Home to care for Bruce. Petitioner's daughter's children are close in age to Bruce and they were helpful in assisting Bruce deal with the loss of his mother (grandmother).

Bruce graduated high school this month and plans to attend Fresno City College in the fall. Bruce is currently 17 years old and will not turn 18 until April 4, 2012.

While Bruce may be able to move in with other family members, he has not attempted to find another place to live at this time. The Administrator would like some guidance from the Court on how to proceed in light of Bruce's graduation from High School and the fact that he remains a minor.

The Administrator believes there are two options: (1) proceed as they have for the past 5 years, allowing Bruce to live in the home pending his 18th birthday; or (2) sell the Home, pay the creditor's claim filed by DHS, reimburse Petitioner for sums advanced to protect the estate pending sale of the Home, and to pay costs of administration of the probate estate. Said petition would request that all sums remaining be distributed to the heirs of the decedent, pursuant to the laws of intestacy. Unfortunately, the second option would also require the establishment of a guardianship of the estate of Bruce, as he is still a minor.

Atty Barrus, John E., of Barrus & Roberts (for Jesus Torres, Executor)

Status Hearing Re: Filing of the First Account or Petition for Final Distribution

DOD: 10/25/2006		JESUS TORRES, son, was appointed Executor with Full IAEA without bond and Letters issued on 2/20/2007.	NEEDS/PROBLEMS/ COMMENTS:
Cont. from 112211, 020712, 050712, 070912, 9/6/12		Final Inventory & Appraisal filed on 4/11/2007 shows an estate value of \$618,100.00.	Continued from 9/6/12. As of 10/8/12 the following issue remains:
Aff.Sub.Wit.		Notice of Status Hearing filed 5/20/2010 set a status hearing on 7/6/2010 for failure to file a first account or petition for final distribution. The status hearing had been continued several times for resolution of pending matters in the estate, with the Minute Order dated 1/10/2011 from the last status hearing setting a status hearing on 7/11/2011.	
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen		Order Confirming Sale of Real Property filed on 7/8/2011 confirmed sale of the estate real property for \$40,000.00.	1. Need first account, petition for final distribution, or current status report pursuant to Local Rule 7.5(B).
Letters		Minute Order dated 7/11/2011 from the continued status hearing states no appearances were made. The Court indicates for the record that Mr. Barrus is the attorney of record. The Court orders that no one other than Mr. Barrus is to file any documents on behalf of Mr. Torres. The Court sets the matter for an Order to Show Cause on 8/22/2011 and orders John Barrus and Jesus Torres to be present at that hearing.	
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			Minute Order dated 8/22/2011 from the Order to Show Cause states counsel requests a continuance. Counsel advises the Court that he will continue to assist Mr. Torres.
Citation			
FTB Notice		Minute Order dated 11/22/2011 [Judge Hamlin] states John Barrus appears by CourtCall. Continued at the request of Mr. Barrus. Matter set on 2/7/2012 for filing of the first account.	Reviewed by: LEG/JF / KT Reviewed on: 10/8/12 Updates: Recommendation: File 11 - Arteaga
		Minute Order dated 2/7/2012 states counsel requests a continuance.	
		Minute Order dated 05/07/12 states: Counsel advises the Court that the IRS list the paperwork.	
		Minute Order dated 9/6/12 states: Counsel advises the Court that the property has been sold.	

Age: 15		TEMPORARY EXPIRES 10/11/12		NEEDS/PROBLEMS/COMMENTS:	
		ALBERT C. GOMEZ, SR., maternal grandfather, is petitioner.		1. Need Notice of Hearing.	
		Father: UNKNOWN		2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
Cont. from		Mother: SHARON C. GOMEZ		<ul style="list-style-type: none"> Father (Unknown), if Court does not dispense with notice as requested. Sharon C. Gomez (Mother) 	
	Aff.Sub.Wit.		Paternal Grandparents: Unknown	3. Need proof of service of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
✓	Verified		Maternal Grandmother: Deceased	<ul style="list-style-type: none"> Paternal grandparents (Unknown), if Court does not dispense with notice as requested. 	
	Inventory		Petitioner states: Minor was under the guardianship of Rebeka Ayer who requested the guardianship be terminated. Child has been residing with the Petitioner, maternal grandfather, since the termination hearing. Mother is currently residing with a registered sex offender that molested the minor in the past. Petitioner requests that notice be dispensed to the father because he has never met this individual nor has his daughter provided him with the father's name. The child has never seen or known of her father. Court Investigator Julie Negrete's Report filed on 10/1/12.		
	PTC				
	Not.Cred.				
	Notice of Hrg	x			
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 10/8/12	
				Updates:	
				Recommendation:	
				File 14 - Gomez	

Ex Parte Petition for Letters Special Administration

DOD: 2/6/2009		ROBERT PETERSON , brother/ is Petitioner and requests appointment as Special Administrator with general powers without bond. Full IAEA – NEED Will dated 08/10/07 Residence: Clovis Publication: NEED <u>Estimated Value of the Estate:</u> \$0.00	NEEDS/PROBLEMS/COMMENTS: 1. #5a (7) or 5a(8) of the petition was not answered re: Issue of Predeceased child. 2. Petition does not include a copy of the Will as required. 3. Petition does not state why special administrator is necessary. 4. Need Affidavit of Publication since the petition is requesting the powers of a general administrator. 5. #8 of the petition does not include the relationship to the decedent or the addresses of those listed. 6. If the spouse survived the decedent but is now deceased, need dated of death pursuant to Local Rule 7.1.1D. 7. Need Original Will Note: Petitioner previously filed a Petition to be appointed Special Administrator. The Petitioner did not appear in court on 3/22/12 and the matter was continued. On 5/10/12 the petitioner again did not appear in court and the petition was denied.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.	X	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT Reviewed on: 10/8/12 Updates: Recommendation: File 14 - Peterson

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Caleb, 5 mos.			<u>NO TEMPORARY IN PLACE;</u> <u>NO APPEARANCES AT TEMP. HRG.</u>	NEEDS/PROBLEMS/COMMENTS: If the Petition goes for forward, the following is needed: 1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: - Marshall Goodman (paternal grandfather) - Maternal grandparents (unknown)
Jayla, 5 mos.				
			RUBY JACKSON , paternal grandmother, is Petitioner.	
Cont. from			Father: BRIAN GOODMAN – <i>Consent & Waiver of Notice</i> filed 08/09/12	
Aff.Sub.Wit.				
✓ Verified			Mother: TRACY TIMMS – <i>Personally served</i> 08/10/12	
Inventory				
PTC			Paternal grandfather: MARSHALL GOODMAN	
Not.Cred.				
✓ Notice of Hrg			Maternal grandparents: UNKNOWN	
Aff.Mail		X		
Aff.Pub.			Petitioner states that the mother is unstable and left the children with no food or diapers. Father is on an ankle monitor and unable to leave his home. Calls to the mother have been unanswered. Even when the child had a fever, mother did not return calls. Father consents and to Petitioner being guardian.	
Sp.Ntc.				
✓ Pers.Serv.			Court Investigator Dina Calvillo filed a report on 10/01/12.	
✓ Conf. Screen				
Letters		X		
✓ Duties/Supp				
Objections				
Video Receipt				
✓ CI Report				
9202				
Order		X		
Aff. Posting				
Status Rpt				
✓ UCCJEA				
Citation				
FTB Notice				

Reviewed by: JF
Reviewed on: 10/08/12
Updates:
Recommendation:
File 15 - Goodman

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 16		<u>NO TEMPORARY IN PLACE;</u> <u>NO APPEARANCES AT TEMP. HRG.</u>		NEEDS/PROBLEMS/COMMENTS: If the Petition goes for forward, the following is needed: 1. Need Notice of Hearing. 2. Need proof of personal service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Angela Wilkins (mother) - Nacio Delgado, Jr. (father)* *Unless diligence is found; Declaration of Due Diligence filed 08/09/12. 3. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: - Ignacio Delgado, Sr. (paternal grandfather) - Paternal grandmother(unknown)	
		<p>AMBER LOPEZ, non-relative, is Petitioner.</p> <p>Father: IGNACIO DELGADO, Jr. – Declaration of Due Diligence filed 08/09/12</p> <p>Mother: ANGELA WILKINS</p> <p>Paternal grandfather: IGNACIO DELGADO, SR. Paternal grandmother: UNKNOWN</p> <p>Maternal grandfather: PHIL WILKINS – deceased Maternal grandmother: KATHLEEN WILKINS – deceased</p> <p>Alyssa Delgado signed the Consent & Waiver of Notice on 08/09/12; filed 08/09/12.</p> <p>Petitioner states that she has known the minor nearly all her life and was in a relationship with the minor's mother for several years. Petitioner's son and the minor consider themselves to be brother and sister. Petitioner states that the minor's mother moved to Oregon with her new partner abandoning the minor here without clothing, food or shelter. The mother has made it clear that she does not want to return to Fresno. The minor's father has never been a part of her life and attempts to locate him have been unsuccessful.</p> <p>Declaration of Alyssa Delgado, minor, filed 08/09/12 states that she does not feel safe with her mother because she is a meth addict and has provided drugs to the minor in the past. Alyssa states that she wants to stay here away from her mother so that she can be safe and sober and feels that if she has to go back with her mother, she will not be able to reach the goals she has in life. Alyssa also states that her mother was physically abusive to her as well.</p> <p>Court Investigator Samantha Henson filed a report on 10/04/12.</p>			
Cont. from				<p>Reviewed by: JF</p> <p>Reviewed on: 10/08/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 - Delgado</p>	
<input type="checkbox"/>	Aff.Sub.Wit.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Verified	<input type="checkbox"/>			
<input type="checkbox"/>	Inventory	<input type="checkbox"/>			
<input type="checkbox"/>	PTC	<input type="checkbox"/>			
<input type="checkbox"/>	Not.Cred.	<input type="checkbox"/>			
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>			
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>			
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>	Conf. Screen	<input type="checkbox"/>			
<input type="checkbox"/>	Letters	<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>	Duties/Supp	<input type="checkbox"/>			
<input type="checkbox"/>	Objections	<input type="checkbox"/>			
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	CI Report	<input type="checkbox"/>			
<input type="checkbox"/>	9202	<input type="checkbox"/>			
<input type="checkbox"/>	Order	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>			
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>			
<input type="checkbox"/>	Citation	<input type="checkbox"/>			
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>			

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 4/11/2009		RUBY LOUISE MILLER , daughter, is petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		All heirs waive bond.	<ol style="list-style-type: none"> 1. Need Notice of Petition to Administer the Estate. 2. Need proof of service of the Notice of Petition to Administer the estate on: <ol style="list-style-type: none"> a. Doris Jean Young 3. #8 of the petition does not include the relationship to the decedent of the parties listed. 4. Need supplement to the Duties and Liabilities. 5. Need Publication. <p>Note: If the petition is granted, status hearings will be set for the filing as follows:</p> <ul style="list-style-type: none"> • Friday, March 8, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal, and; • Friday, December 6, 2013 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	Full IAEA - ?	
<input checked="" type="checkbox"/>	Verified	Decedent died intestate.	
<input type="checkbox"/>	Inventory	Residence: Fresno	
<input type="checkbox"/>	PTC	Publication: NEED	
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff.Pub.	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	Estimated value of the estate:	
<input checked="" type="checkbox"/>	Duties/Supp	Personal property - \$1,050.00	
<input type="checkbox"/>	Objections	Probate Referee: RICK SMITH	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 10/8/12
			Updates:
			Recommendation:
			File 17 - Wimbley